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ABSTRACT

Policy questions regarding activities for which university faculty, administrators, and professional staff might derive additional income were examined in four mail surveys along with the impact of these activities on the individuals, the university, and society. Some of the activities considered include overload teaching, research, consulting, part-time employment, and the rights to intellectual properties that may result from either load or "overload" work. The four mail surveys included the following: (1) the Planning Survey, designed to identify major policy problems; (2) a survey sent to statewide coordinating agencies, university central offices, and community college system offices to determine the responsibility of the agencies for establishing policies, and to evaluate the current status of each policy area; (3) a survey of private foundations that assessed the guidelines given to institutions receiving grants regarding salary and property rights for inventions and educational materials; and (4) a survey sent to higher education associations and professional associations requesting information of the involvement of the organization in establishing ethical codes directly or indirectly for their members or other agencies, and information on their use of and payment for part-time services of faculty or staff. (Author/LBH)

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ETHICAL AND ECONOMIC ISSUES

POLICY SURVEYS

1. Planning Survey; 2. State-Wide Coordinating Agencies, University Central Offices, Community College Systems Offices; 3. Private Foundations; 4. Higher Education Associations, Professional Associations.

by

Robert H. Linnell
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"Ethical and Economic Issues - University Policies for Consulting, Overload Instructional Activities and Intellectual Property"

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Ethical and Economic Issues in Higher Education
A SUMMARY OF FOUR MAIL SURVEYS

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INTRODUCTION

The focus of this study is the policy questions regarding activities for which university faculty, administrators and professional staff might derive additional income and the impact of these activities on the individuals, the university and society. Some of the activities considered, both within the university and outside of it, include overload teaching, research, consulting, part-time employment, and the rights to intellectual properties which may result from either load or "overload" work. These activities may also involve conflict-of-interest either in the time commitment to the activity, which may draw energies away from primary university responsibilities, or in causing a real or apparent biasing of intellectual objectivity. The latter possibility could cause an erosion of academic freedom and limit a major role of the university in serving society.

The first step of the project, summarized in this paper, was to make a preliminary assessment of the current status of policy in these areas and to determine what agencies had responsibility for establishing policy. Four different mail surveys were developed. The first survey, the *Planning Survey*, was designed to identify major policy problems perceived by academicians who had expressed interest by either attending a previous planning conference at USC (January, 1976), or had written for information about the Ethical and Economic Issues Project.* The second survey was sent to three groups: *Statewide Coordinating Agencies*, *University Central Offices*, and *Community College System Offices*. It was designed to determine the responsibility of

The authors wish to express their appreciation to Ellen Stewart and Steve Kesler for their valuable assistance.

*This survey population was primarily academic administrators, many with faculty experience and rank.

these agencies for establishing policies in the study areas and requested the agencies' evaluation of the "current status" of each policy area. The third survey, sent to *Private Foundations*, assessed the guidelines which foundations give to institutions which receive grants. In this survey, information was requested on foundation policy in the use of their funds for 1) salary (load, overload, consulting, etc.), 2) property rights for inventions and educational materials. A fourth survey was sent to two groups: *Higher Education Associations and Professional Associations* (selected on the basis of academic discipline base). This survey requested information on the involvement of the organization in establishing ethical codes either directly for their members or indirectly by advising other agencies (e.g. Congress, Government Agency, Study Commission, etc.); in addition, information on their use of and payment for part-time services of university faculty or staff, was requested.

SUMMARY

- University Central Offices have responsibilities for establishing or recommending policies in the areas under study. In contrast, Statewide Coordinating Agencies and Community College Systems Offices have very little responsibility in these areas.

- Higher Education Associations and Professional Associations generally have not established policies, in these areas, to serve as guidelines for their members. They also have rarely provided policy input, in these areas, to external agencies such as governments, commissions or others. However both survey groups extensively utilize the part-time services of university faculty and professional staff, with and without expenses or honoraria.

- Private Foundations play a passive role in establishing policies in these areas, usually accepting grantee institution policies and practices. There are a few foundations with policies in areas such as intellectual property rights and summer salary.

- Major policy problem areas were external consulting, production and use of educational material, salary reimbursement/recovery, continuing education and overload teaching, as indicated by the planning survey and the survey of central university offices.

SURVEY 1: The Planning Survey

Background. The purpose of the planning survey was to determine key areas of concern of those individuals who were interested in attending the conference entitled "Ethical and Economic Issues: University Policies for Consulting, Overload Instructional Activities and Intellectual Property". Respondents were asked to assess the current status of policies and practices in nine general areas (Production/Use of Educational Materials, Patents, External Consulting, Overload Teaching, Internal Consulting, Paid Sabbaticals, Salary Reimbursement from Sponsored Projects, Fringe Benefits, and Continuing Education). The survey was sent to a large group of individuals (N = 228) who had attended a previous "Academic Planning Conference: or had expressed interest in future conferences.

Results. Virtually all of the respondents felt that policies were needed in the areas surveyed. Respondents generally indicated one of two types of problems; either a lack of adequate policies or adequate policies which were not followed. Of the nine general areas surveyed, External Consulting was the biggest problem area (problems indicated by 80% of respondents - See Table 1 and Appendix, Survey 1-Planning). Other frequently mentioned problem areas were Overload Teaching (60%), Production/Use of Educational Materials (60%), Continuing Education (59%), and Salary Reimbursement/Recovery (54%). The only policy area surveyed which was apparently not a large problem area was Fringe Benefits on Overload Salary (29%). When asked which areas "pose particular problems at your institution", all areas except Fringe Benefits were mentioned.

Problem areas could be indicative of either a lack of adequate policy, or not following adequate policies which did exist. In each of the areas surveyed, the lack of adequate policy was the most frequently mentioned problem.

SURVEY 2: Statewide Coordinating Agencies, University Central Offices and Community College Systems Offices

Background. The purpose of these surveys (See Appendix, Survey 2) was to determine the level of responsibility respondents had for policy development and the current status of policies in six broad areas: Production/Use of Educational Materials, Patents, Consulting, Continuing Education, Salary Recovery/Reimbursement, and Fringe Benefits on Overload Salary. The survey was sent to three different groups: Statewide Agencies Coordinating Higher Education, University Central Offices, and Community College Systems. The first group, Statewide Coordinating Agencies, consisted of 42 agencies that were established to achieve a more economical deployment of state resources of higher education and to prevent unnecessary duplication. These agencies, identified as statewide coordinating agencies and agencies established in accordance to the Post Secondary Commission, vary considerably in power, structure and composition.* The majority of these agencies (86%) responded to the survey. The second group, University Central Offices, consisted of 48 central offices of statewide systems of colleges/universities (the central office of universities with several different campuses). Fewer surveys (54%) were returned by these respondents. The third group, 48 Community College Systems, also returned 54% of the surveys.

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*See "State Boards of Higher Education" Richard M. Millard, ERIC/Higher Education Research Report No. 4, 1976.

Results - Statewide Agencies. Almost all of the respondents indicated that they had no responsibility at all in the six policy areas (See Table 2 and Appendix, Survey 2-Statewide Coordinating Agencies). Because these agencies did not have any policy responsibility, they did not evaluate the current status of policies and practices.

Results - University Central Offices. Respondents generally (ranging from 65 to 81% for the six areas) indicated that they had the responsibility for establishing policy in these areas; the respondents who had some responsibility for policies in these areas ranged from 88 to 96%. Some written comments indicated that the distinction between setting policy and recommending policy may be too simplistic. Some offices may well "set policy" by default, since the groups to whom they report (faculty sentates, regents, trustees, state legislatures, etc.) may generally accept the recommendations.

Relatively few of the respondents indicated that policies were not needed in any of the areas. However, less than 50% of the responses in each survey area were indicated as problem areas by University Central Offices. (See Table 1 and Appendix, Survey 2-University Central Offices). Largest problem area responses were External Consulting for Non-Government Agencies (52%), Salary Reimbursement/Recovery from Industry Support (50%), Production/Use of Educational Materials consisting of Computer Programs (50%), TV Tapes (46%), and Audio Visuals (42%). Fewest problems were seen in areas of Patent Policies (17%), Internal Consulting/Overload (28%), and Fringe Benefits on Additional Income (ranging from 24 to 32% for different activities).

When problems were reported, they were more likely to consist of a lack of adequate policies rather than not following adequate policies which did exist. This was particularly true for Production/Use of Educational

Materials Consisting of Computer Programs. However, this generalization did not hold for one substantial problem area, External Consulting for Non-Government Organizations, where Central Offices indicated that adequate policies generally existed but were not consistently followed.

Results - Community College Systems. Surprisingly few of the Community College System Offices indicated that they had any responsibility at all for establishing, recommending or even documenting policies in these areas (See Table 3). The responses indicated some responsibilities were as follows: Production/Use of Educational Materials (36%), Patents (28%), Consulting (44%), Continuing Education (52%), Salary Reimbursement for Externally Funded Projects (36%), Fringe Benefits on Additional Income (42%). Those Offices which had no responsibility for these policies generally did not evaluate the current status of policies, so relatively few responses were made to these items. However, problem areas were noted in the Production/Use of Educational Materials and Continuing Education (See Appendix, Survey 2-Community College Systems).

SURVEY 3: Private Foundations

Background. The purpose of this survey was to determine the policy guidelines of major foundations in the use of foundation grant funds given to institutions of higher education. The survey was sent to 50 private foundations who provide significant funding (at least one million dollars annually) to institutes of higher education. Responses were received from 30 (60%) of the foundations.

Results. Most respondents indicated that property rights/royalties were handled entirely according to the grantee institution policies for both educational materials (69%) and patentable inventions (59%). Other respondents indicated that the few instances which arose were handled on an "ad-hoc, case by case" basis. Two foundations did indicate that property rights were required to be put into the public domain for general use and the benefit of society.

Foundations were also asked to indicate policies regarding salary that was paid to University Faculty/Professional Staff for work done on projects which were supported by the foundation. Once again, most foundations (66%) indicated that the policies of the grantee institution would be followed. A few foundations indicated that they place restrictions on the amount of salary faculty could be paid during summer months, during sabbaticals or as consultant fees, but these were the exceptions. Only one respondent indicated that they had a policy of not allowing any salary for regular, full-time faculty. Several foundations telephoned the project director to ask questions about the survey. During these conversations, they indicated current review of their policies (or development of policies where they now had none). One major foundation asked for information about survey results and inquired if any other foundation was concerned about policies in these areas and their tax status. See Appendix, Survey 3-Private Foundations.

SURVEY 4: Higher Education Associations and Professional Associations

Background. The purpose of this survey was to determine the involvement of Higher Education Associations and Professional Organizations in establishing ethical codes and policies, and to survey their part-time use of university faculty for association projects. Surveys were sent to 68 Higher Education Associations and 73 Professional Associations; responses were received from 43 (63%) of the Higher Education Associations and 41 (56%) of the Professional Associations.

These organizations impact the current and future role of higher education in many ways. They provide an important source of information about the general trends in Higher Education and specific trends in different disciplines. Their journals and publications disseminate not only research results but also provide the status of current problems and point the directions for the future. Thus, they could have an important influence on the policy areas which are covered in this research project.

Results - Higher Education Associations. Few of the responding Higher Education Associations had either formulated association policies or worked with external agencies in establishing policies related to any of the six areas of inquiry. (See Table 3 and Appendix, Survey 4-Higher Education Associations.) There were only two areas, Part-Time Consulting (12%) and Ethical/Conflict-of-Interest Issues (12%), in which more than 10% of the responding associations had formulated policies.

Most of the Higher Education Associations employed university/college faculty on a part-time basis in one or more capacities. The responses were as follows: Association Officer (74%), Editor (37%), Consultant (67%), Project Director (42%), Committee Member (72%), Instruction/Continuing

Education (26%), Workshop/Conference Speaker (65%). The faculty were generally given at least their expense money, and for positions other than Association Officers and Committee Members, were often given an additional stipend or honoraria. Funds for payment of faculty generally came from the Association budget, but in many cases may have come from other sources as well, most frequently from income earned by fees from the activity.

Almost one third of the Higher Education Associations indicated that faculty may be used on a part-time basis for activities resulting in property rights (33%) or royalties (30%). Property rights and royalties typically went to the Association, or were handled on an "ad hoc" basis.

Results - Professional Associations. Very few of the professional associations had either formulated policies or worked with any external agency in establishing policies related to these areas. (See Table 3 and Appendix, Survey 4-Professional Associations). In only one of the six areas surveyed, Property Rights and Royalties (17%), had as many as 10% of the associations formulated policies.

Nearly all of the Professional Associations employed university/college faculty on a part-time basis for performing association work or projects; Association Officer (73%), Editor (61%), Consultant (66%), Project Director (49%), Committee Member (76%), Instruction/Continuing Education (39%), Workshop/Conference Speaker (78%). Association Officers and Committee Members were typically given only expense money which usually came from association funds. Editors often received a stipend/honorarium in addition to expense money. Consultants were very likely to be paid an honorarium/stipend, but funds for this were derived from other sources as well as association funds; Project Directors are most likely paid from government grants/contracts. 12

Close to half the professional associations indicated that faculty may be used on a part-time basis for activities resulting in property rights (49%) or royalties (39%). Property rights and royalties were generally retained by the association, but were also negotiated on an ad-hoc basis.

DISCUSSION

The principle goals of the surveys were to 1) identify problem areas related to university policies/practices regarding consulting, overload instructional activities, production/use of intellectual property and related issues and 2) seek information as to where responsibility for these policies was currently assigned. Although these surveys were somewhat different, some comparisons can be made. Generally, university central offices felt that the current status of their policies were much more satisfactory than did respondents to the Planning Survey. However, there was general agreement on the basic topics which were the biggest problem areas. Both groups (See Table 1) indicated that policies related to External Consulting, Production/Use of Educational Materials, Salary Reimbursement/ Recovery and Continuing Education were the biggest problem areas, while policies related to Patents, Internal Consulting/Overload, and Fringe Benefits on Additional Income were the smallest problem areas. A related interview survey (reported separately) of academic (and non-academic) administrators and faculty at ten institutions contrasts significantly to the mail survey results of university central offices. The ten university interview study generally provides results similar to the planning survey.

Responsibility for establishing these policies and practices seems to rest with the university central offices. Responses from Statewide Coordinating Agencies indicated that they generally had no responsibility for these policies and that they were perhaps unfamilar with their current status. Similarly, Community College Offices indicated that they generally did not have major responsibility, although they appear to have more responsibility than State-wide Coordinating Agencies.

A survey sent to Private Foundations indicated that they usually adopted a rather passive role related to these policy issues, generally

accepting whatever policies exist at grantee institutions. It is not clear to what extent foundations have examined what university policies actually exist or whether they know how these policies are being applied to foundation support.

Both Higher Education Associations and Professional Associations actively utilize the part-time services of university faculty and professional staff for a wide variety of activities. In spite of the importance of these relationships, few of either the Educational or Professional associations have developed policies or standards related to these activities, or have provided advice to government agencies, legislatures or others.

Table 1

Problem Areas Identified in Planning Survey (Survey 1) and University Central Office Survey (Survey 2)

	Planning Survey (N = 30)	University Central Offices (N = 26)
Production/Use of Educational Materials	60%	
Computer Programs		50%
TV Tapes		46
Textbooks		33
Audio Visuals		42
External Consulting	80	
with Government Agency		32
Others (Industry, etc.)[1]		52
Continuing Education	59	35
Overload Teaching	60	38
Salary Reimbursement/Recovery	54	
Government Support		36
Private Foundation Support		36
Industry Support		50
Patents	50	17
Internal Consulting/Overload	46	28
Additional Income During Sabbaticals	41	(not asked)
Fringe Benefits on Additional Income	29	
Summer Research		28
Summer Teaching		25
Academic Year Overload Teaching		32
Sabbatical		24

[1]Problem areas designated by responses of "No policy exists but one is needed", "Current policy is unsatisfactory and needs change", or "An adequate policy exists but is inconsistently followed".

Table 2

Results of Survey 2
Percentage of Respondents Indicating Some Responsibility for Policies/Practices in Areas Related to Faculty Income

	University Central Offices (N = 26)	Statewide Coordinating Agencies (N = 36)	Community College Systems (N = 26)
Production/Use of Educational Materials	92%	19%	36%
Patents	92	8	28
Consulting	92	19	44
Continuing Education	88	22	52
Salary Reimbursement for Externally Funded Projects	86	22	36
Benefits for Activities Above Normal Academic Contract	96	19	42

Table 3

Percentage of Associations Having Formulated Policies

	Professional Associations (N = 41)	Higher Ed Associations (N = 43)
Part-Time Consulting	10%	12%
Ethical (Conflict-of-Interest) Issues	10	12
Copyrights/Patents	17	2
Summer Teaching	0	2
Summer Research	0	0
Overload Teaching	5	2

Appendix
Survey 1

PLANNING SURVEY

Survey Population: 228 Responses: 30

Because of your interest and knowledge in academic policy, you could assist the conference director in finalizing a stimulating and useful program by completing this questionnaire. Your cooperation in the return of this questionnaire no later than October 15, 1976, will be greatly appreciated.

Please rate the status for your current policies/practices on the following scale by circling the appropriate number.

1 = An adequate policy exists and is followed
2 = An adequate policy exists but is not always followed
3 = No policy exists and none is needed
4 = No policy exists but one is needed
5 = Current policy is unsatisfactory and needs change

	RESPONSES						
	1	2	3	4	5	No Response	Problem Areas*
1. Production and Use of Educational Material - Copyright, Use, Distribution of earned income.	7	7	3	6	2	5	15 of 25
2. Patenting and Licensing of Inventions - Assignment of patents and distribution of earned income.	9	4	4	8	1	4	13 of 26
3. Consulting - Time spent on external consulting, conflict-of-interest, relationship to academic work.	5	10	1	6	8	0	24 of 30
4. Overload Teaching - Time spent, additional salary policy, definition of regular load (includes summer sessions, evening and weekend educational programs).	12	8	0	0	10	0	18 of 30
5. Overload Research and Internal Consulting Time spent, additional salary (includes summer, vacations, evenings, weekends).	12	4	3	5	4	2	13 of 28
6. Paid Sabbatical Leaves - Policies or practices relating to securing other paid positions during paid sabbatical leaves.	14	5	2	3	3	3	11 of 27
7. Salary Reimbursement from Grants or Contracts - Policies or practices on the recovery of faculty and/or professional staff salaries for time spent on work funded by grants or contracts.	11	4	2	6	5	2	15 of 28

*A policy problem area is indicated by response scale numbers 2, 4 and 5. This column is the sum of these three responses.

	RESPONSES						
	1	2	3	4	5	No Response	Problem Areas*
8. Fringe Benefits - Policies or practices on payment of fringe benefits on additional income (i.e., above basic AAUP reported contract salary) paid by the institution	16	2	1	2	3	6	7 of 24
9. Continuing Education/Extension - Participation or regular instructional staff in continuing education, extension or other adult education programs as an on load assignment without additional compensation.	10	2	1	7	7	3	16 of 27

Do any of the above (or closely related) policy-practice areas pose particular problems at your institution? If so, please describe.

Production/Use of Education Materials
Patents/Licensing
External Consulting
Overload Teaching
Internal/Overload Research
Sabbatical (other salary during)
Salary Reimbursement
Fringe Benefits
Continuing Education

If you know of institutions which have developed innovative ways to deal with any of these policy-practice areas, please list the area, the institution and provide appropriate comments.

None of respondents indicated any innovative policies.

If you have relevant policy documents available for your institution, please send copies.

2 of 30 respondents sent documents.

STATEWIDE COORDINATING AGENCIES

Survey Population: 42 Responses: 36

We are interested in knowing the responsibilities of your organization for establishing, coordinating or documenting the policies and practices of your constituents in specific areas related to faculty and professional staff income. In the areas where you have some responsibilities, we would like to know the current status of such policies. Please use the following codes:

Responsibility of your Organization

1. None
2. To establish policy-practice in the area
3. To recommend policy-practice in the area
4. To document existing policy-practice in the area

Current Status of Policy

1. Satisfactory policy exists and is followed
2. Satisfactory policy exists and is inconsistently followed
3. Current policy is unsatisfactory and needs change
4. No policy exists, but one is needed
5. No policy exists and none appears to be needed

Please keep in mind that the purposes of this survey are 1) to establish the responsibility (if any) of your organization in each of several broad policy areas and 2) to determine the current status of each of those policy areas for which you have some responsibility. If you have no responsibility (responsibility code 1) then you should leave the current status code blank.

I. POLICIES with regard to production and use of various types of educational materials. For example, such policies might include: who produces the material and on what compensation basis (i.e., faculty or staff, on-load or for extra compensation); How are copyrights assigned; if royalties are earned, who receives them; are policies different for internal use compared to external use; etc.?

RESPONSIBILITY RATING:	1	2	3	4	1+2+3
NUMBER OF RESPONSES:	29	1	3	2	1

Type of Material	Current Status of Policy						
	1	2	3	4	5	No Response	Problem Areas*
TV Tapes	0	1	1	1	4	29	3 of 7
Audio-Visuals (Cassettes, Slides, etc.)	0	1	0	2	4	29	3 of 7
Computer Programs	0	1	2	1	3	29	4 of 7
Testbooks, Printed materials, etc.	1	2	0	0	4	29	2 of 7

*A policy problem area is indicated by response items 2, 3 and 4. This column is the sum of these items.

II. Policies in regard to application for, assignment of and use of patents. For example are there policies to encourage faculty and staff to apply for patents or inventions related to university research; how are resulting patents assigned (requirements of sponsor); how is the distribution of any royalties determined; etc.?

RESPONSIBILITY RATING: 1 2 3 4

NUMBER OF RESPONSES: 33 1 2 0

Sponsor	Current Status						
	1	2	3	4	5	No Response	Problem Areas
Federal Government	0	0	0	0	1	35	0 of 1
State or Local Government	0	0	0	0	1	35	0 of 1
Private Foundation	0	0	0	0	1	35	0 of 1
Institution Itself	0	0	1	0	0	35	1 of 1

III. Policies regarding faculty and/or staff consulting. For example, stipulation as to the time which can be spent on consulting, policy guidelines to prevent conflict-of-interest, limitations on types of consulting, etc.?

RESPONSIBILITY RATING: 1 2 3 4

NUMBER OF RESPONSES: 29 2 5 0

Type of Consulting		Current Status						
		1	2	3	4	5	No Response	Prob Are
Internal	Fee paid by grant, contract or other internal source	4	1	1	0	0	30	2 of
Government	Directly for government agencies	3	1	2	0	0	30	3 of
All Other	Industry, or grants or contracts at other institutions, board memberships, etc.	2	1	3	0	0	30	4 of

IV. Policies in regard to continuing education, extension, evening programs and similar programs. For example, on what basis can departmental faculty participate in such programs (regular on-load basis, overload only, limitations on time commitment); can tenure track faculty be appointed by a continuing education or extension division; are policies developed for off-campus sites, such as travel allowances for costs and extra time; etc.?

RESPONSIBILITY RATING: 1 2 3 4 3+4

NUMBER OF RESPONSES: 28 2 5 0 1

Continuing Education Policy	Current Status						
	1	2	3	4	5	No Response	Problem Areas
On-Load or Overload Policies for Participation of Departmental Faculty	6	1	1	0	0	28	2 of 8
Off-Campus Sites - Travel, Time and Living Allowances	4	2	1	0	1	28	3 of 8
Ability of Continuing Education Division to appoint tenure tract faculty	4	0	2	1	1	28	3 of 8

V. Policies for salary reimbursement to the university for faculty or staff time spent on externally funded projects. For example, are there policies on what percent of effort is reimbursed and what percent is cost-shared; is full-time effort defined; are there overload salary policies and policies for summer salary; etc.?

RESPONSIBILITY RATING: 1 2 3 4 3+4

NUMBER OF RESPONSES: 28 3 4 0 1

Source of Funded Support	Current Status						
	1	2	3	4	5	No Response	Problem Areas
Government Supported Projects	7	0	1	0	0	28	1 of 8
Private Foundation Supported Projects	6	1	1	0	0	28	2 of 8
Industry Supported Projects	6	1	1	0	0	28	2 of 8

VI. Polices relating to the application of benefit plans to faculty and staff activities which are above the normal academic contract. For example, are there policies for application of retirement benefits to overload teaching, summer teaching, summer research projects supported by grants or contracts? Are there policies for benefits during sabbatical leaves; may other paid positions be held during paid sabbatical leaves, etc.?

RESPONSIBILITY RATING: 1 2 3 4 3+4

NUMBER OF RESPONSES: 29 1 5 0 1

Type of Activity	Current Status						
	1	2	3	4	5	No Response	Problem Areas
Sabbatical Leaves	5	0	0	1	1	29	1 of 7
Academic Year Overload Teaching	4	1	0	1	1	29	2 of 7
Summer Teaching	4	1	0	1	1	29	2 of 7
Summer Research Grants/Contracts	4	1	0	1	1	29	2 of 7

21

COMMUNITY COLLEGE SYSTEMS

Survey Population: 48 Responses: 26

We are interested in knowing the responsibilities of your organization for establishing, coordinating or documenting the policies and practices of your constituents in specific areas related to faculty and professional staff income. In the areas where you have some responsibilities, we would like to know the current status of such policies. Please use the following codes:

Responsibility of your Organization

1. None
2. To establish policy-practice in the area
3. To recommend policy-practice in the area
4. To document existing policy-practice in the area

Current Status of Policy

1. Satisfactory policy exists and is followed
2. Satisfactory policy exists and is inconsistently followed
3. Current policy is unsatisfactory and needs change
4. No policy exists, but one is needed
5. No policy exists and none appears to be needed

Please keep in mind that the purposes of this survey are 1) to establish the responsibility (if any) of your organization in each of several broad policy areas and 2) to determine the current status of each of those policy areas for which you have some responsibility. If you have no responsibility (responsibility code 1) then you should leave the current status code blank.

I. POLICIES with regard to production and use of various types of educational materials. For example, such policies might include: who produces the material and on what compensation basis (i.e., faculty or staff, on-load or for extra compensation); How are copyrights assigned; if royalties are earned, who receives them; are policies different for internal use compared to external use; etc.?

RESPONSIBILITY RATING:	1	2	3	4	2+3
NUMBER OF RESPONSES:	16	4	3	1	1

Type of Material	Current Status of Policy						
	1	2	3	4	5	No Response	Problem Areas*
TV Tapes	1	2	1	2	3	17	5 of 9
Audio-Visuals (Cassettes, Slides, etc.)	1	2	1	2	3	17	5 of 9
Computer Programs	4	1	0	1	2	18	2 of 8
Testbooks, Printed materials, etc.	3	2	0	2	3	15	4 of 10

*A policy problem area is indicated by response items 2, 3 and 4. This column is the sum of these items.

II. Policies in regard to application for, assignment of and use of patents. For example are there policies to encourage faculty and staff to apply for patents or inventions related to university research; how are resulting patents assigned (requirements of sponsor); how is the distribution of any royalties determined; etc.?

* RESPONSIBILITY RATING: 1 2 3 4

NUMBER OF RESPONSES: 18 4 2 1

Sponsor	*Current Status						
	1	2	3	4	5	No Response	Problem Areas
Federal Government	3	0	0	1	3	19	1 of 7
State or Local Government	3	0	0	1	3	19	1 of 7
Private Foundation	3	0	0	1	3	19	1 of 7
Institution Itself	3	0	0	1	3	19	1 of 7

III. Policies regarding faculty and/or staff consulting. For example, stipulation as to the time which can be spent on consulting, policy guidelines to prevent conflict-of-interest, limitations on types of consulting, etc.?

* RESPONSIBILITY RATING: 1 2 3 4

NUMBER OF RESPONSES: 14 4 5 2

Type of Consulting		*Current Status						
		1	2	3	4	5	No Response	Problem Areas
Internal	Fee paid by grant, contract or other internal source	8	0	1	0	1	16	1 of 1
Government	Directly for government agencies	6	0	2	0	1	17	2 of 9
All Other	Industry, or grants or contracts at other institutions, board memberships, etc.	6	0	3	0	1	16	3 of 1

*See page 1 of survey for description of each response option.

IV. Policies in regard to continuing education, extension, evening programs and similar programs. For example, on what basis can departmental faculty participate in such programs (regular on-load basis, overload only, limitations on time commitment); can tenure track faculty be appointed by a continuing education or extension division; are policies developed for off-campus sites, such as travel allowances for costs and extra time; etc.?

RESPONSIBILITY RATING: 1 2 3 4

NUMBER OF RESPONSES: 12 7 3 3

Continuing Education Policy	Current Status						
	1	2	3	4	5	No Response	Problem Areas
On-Load or Overload Policies for Participation of Departmental Faculty	5	2	1	1	1	16	4 of 1
Off-Campus Sites - Travel, Time and Living Allowances	4	1	1	1	2	17	3 of 9
Ability of Continuing Education Division to appoint tenure tract faculty	5	0	0	2	2	17	2 of 9

V. Policies for salary reimbursement to the university for faculty or staff time spent on externally funded projects. For example, are there policies on what percent of effort is reimbursed and what percent is cost-shared; is full-time effort defined; are there overload salary policies and policies for summer salary; etc.?

RESPONSIBILITY RATING: 1 2 3 4

NUMBER OF RESPONSES: 16 4 3 2

Source of Funded Support	Current Status						
	1	2	3	4	5	No Response	Problem Areas
Government Supported Projects	3	0	1	1	2	19	2 of 7
Private Foundation Supported Projects	3	0	1	1	2	19	2 of 7
Industry Supported Projects	3	0	1	1	2	19	2 of 7

VI. Polices relating to the application of benefit plans to faculty and staff activities which are above the normal academic contract. For example, are there policies for application of retirement benefits to overload teaching, summer teaching, summer research projects supported by grants or contracts? Are there policies for benefits during sabbatical leaves; may other paid positions be held during paid sabbatical leaves, etc.?

RESPONSIBILITY RATING: 1 2 3 4

NUMBER OF RESPONSES: 14 5 2 3

Type of Activity	Current Status						
	1	2	3	4	5	No Response	Problem Areas
Sabbatical Leaves	7	0	0	0	3	16	0 of 10
Academic Year Overload Teaching	5	1	1	0	3	16	2 of 10
Summer Teaching	7	0	0	0	3	16	0 of 10
Summer Research Grants/Contracts	6	0	0	0	4	16	0 of 10

UNIVERSITY CENTRAL OFFICES

Survey Population: 48 Responses: 26

We are interested in knowing the responsibilities of your organization for establishing, coordinating or documenting the policies and practices of your constituents in specific areas related to faculty and professional staff income. In the areas where you have some responsibilities, we would like to know the current status of such policies. Please use the following codes:

Responsibility of your Organization

1. None
2. To establish policy-practice in the area
3. To recommend policy-practice in the area
4. To document existing policy-practice in the area

Current Status of Policy

1. Satisfactory policy exists and is followed
2. Satisfactory policy exists and is inconsistently followed
3. Current policy is unsatisfactory and needs change
4. No policy exists, but one is needed
5. No policy exists and none appears to be needed.

Please keep in mind that the purposes of this survey are 1) to establish the responsibility (if any) of your organization in each of several broad policy areas and 2) to determine the current status of each of those policy areas for which you have some responsibility. If you have no responsibility (responsibility code 1) then you should leave the current status code blank.

I. POLICIES with regard to production and use of various types of educational materials. For example, such policies might include: who produces the material and on what compensation basis (i.e., faculty or staff, on-load or for extra compensation); How are copyrights assigned; if royalties are earned, who receives them; are policies different for internal use compared to external use; etc.?

RESPONSIBILITY RATING:	1	2	3	4	2+3	2+3+4	2+4
NUMBER OF RESPONSES:	2	17	3	1	1	1	1

Type of Material	Current Status of Policy						
	1	2	3	4	5	No Response	Problem Areas*
TV Tapes	10	4	1	6	3	2	11 of 24
Audio-Visuals (Cassettes, Slides, etc.)	11	5	0	5	3	2	10 of 24
Computer Programs	9	3	0	9	3	2	12 of 24
Testbooks, Printed materials, etc.	14	2	3	3	2	2	8 of 24

*A policy problem area is indicated by response items 2, 3 and 4. This column is the sum of these items.

II. Policies in regard to application for, assignment of and use of patents. For example are there policies to encourage faculty and staff to apply for patents or inventions related to university research; how are resulting patents assigned (requirements of sponsor); how is the distribution of any royalties determined; etc.?

RESPONSIBILITY RATING:	1	2	3	4	2+3	2+3+4
NUMBER OF RESPONSES:	2	15	6	1	1	1

Sponsor	Current Status						
	1	2	3	4	5	No Response	Problem Areas
Federal Government	18	1	1	2	1	3	4 of 23
State or Local Government	18	1	1	2	1	3	4 of 23
Private Foundation	18	1	1	2	1	3	4 of 23
Institution Itself	18	2	1	2	1	3	5 of 24

III. Policies regarding faculty and/or staff consulting. For example, stipulation as to the time which can be spent on consulting, policy guidelines to prevent conflict-of-interest, limitations on types of consulting, etc.?

RESPONSIBILITY RATING:	1	2	3	4	2+3	2+3+4	2+4
NUMBER OF RESPONSES:	2	14	7	0	1	1	1

Type of Consulting		Current Status						
		1	2	3	4	5	No Response	Prob Are
Internal	Fee paid by grant, contract or other internal source	18	1	5	1	0	1	7 o
Government	Directly for government agencies	17	2	5	1	0	1	8 o
All Other	Industry, or grants or contracts at other institutions, board memberships, etc.	12	8	4	1	0	1	13 o

IV. Policies in regard to continuing education, extension, evening programs and similar programs. For example, on what basis can departmental faculty participate in such programs (regular on-load basis, overload only, limitations on time commitment); can tenure track faculty be appointed by a continuing education or extension division; are policies developed for off-campus sites, such as travel allowances for costs and extra time; etc.?

RESPONSIBILITY RATING:	1	2	3	4	2+3	2+3+4	3+4
NUMBER OF RESPONSES:	3	15	3	1	1	1	1

Continuing Education Policy	Current Status						
	1	2	3	4	5	No Response	Problem Areas
On-Load or Overload Policies for Participation of Departmental Faculty	15	4	3	1	0	3	8 of 2
Off-Campus Sites - Travel, Time and Living Allowances	17	2	3	0	1	3	5 of 2
Ability of Continuing Education Division to appoint tenure tract faculty	14	1	0	2	5	4	3 of 2

V. Policies for salary reimbursement to the university for faculty or staff time spent on externally funded projects. For example, are there policies on what percent of effort is reimbursed and what percent is cost-shared; is full-time effort defined; are there overload salary policies and policies for summer salary; etc.?

RESPONSIBILITY RATING:	1	2	3	4
NUMBER OF RESPONSES:	3	18	0	1

Source of Funded Support	Current Status						
	1	2	3	4	5	No Response	Problem Areas
Government Supported Projects	14	3	4	1	0	4	8 of 2
Private Foundation Supported Projects	14	3	4	1	0	4	8 of 2
Industry Supported Projects	11	5	4	2	0	4	11 of 2

VI. Polices relating to the application of benefit plans to faculty and staff activities which are above the normal academic contract. For example, are there policies for application of retirement benefits to overload teaching, summer teaching, summer research projects supported by grants or contracts? Are there policies for benefits during sabbatical leaves; may other paid positions be held during paid sabbatical leaves, etc.?

RESPONSIBILITY RATING:	1	2	3	4	2+3+4	3+4
NUMBER OF RESPONSES:	1	17	2	2	3	1

Type of Activity	Current Status						
	1	2	3	4	5	No Response	Problem Areas
Sabbatical Leaves	19	3	1	2	0	1	6 of 2
Academic Year Overload Teaching	14	2	5	1	3	1	8 of 2
Summer Teaching	20	1	4	0	0	1	5 of 2
Summer Research Grants/Contracts	18	2	3	2	0	1	7 of 2

PRIVATE FOUNDATIONS

Survey Population: 50 Respondents: 30

We are collecting information on policies and practices of private foundations relating to the use of their grant funds by college or university grantees. The questionnaire was designed to indicate the type of policy information we are interested in obtaining. If you find the items unsatisfactory please do not attempt to complete the survey form, but use as an alternative a letter describing your policies, or if available, appropriate policy documents.

I. Production of education material (TV tapes, cassettes, slides, computer programs and programmed instruction, texts and printed material, etc.) with foundation support. Policy for Assignment of Property Rights and Royalties:

	Responses
1. Property rights and royalties are given by the foundation to the grantee institution to be handled entirely according to the grantee institutions policies and practices.	18
2. Property rights and royalties are given by the foundation to the grantee institution, with a non-exclusive, royalty-free license to the foundation.	0
3. Property rights are required to be put in the public domain for general use and benefit of the people.	2
4. Property rights and royalties are handled on an ad-hoc case by case basis as they arise (please describe policy guidelines, if available).	6
5. Not appropriate (never deal with this situation)	4

II. Patentable inventions resulting from foundation support. Policy for Assignment of Property Rights and Royalties:

1. Property rights and royalties are given by the foundation to the grantee institution to be handled entirely according to the grantee institutions policies and practices.	13
2. Property rights and royalties are given by the foundation to the grantee institutions, with a non-exclusive, royalty-free license to the foundation.	0
3. Property rights are required to be put in the public domain for general use and benefit of the people.	2

Responses

4. Property rights and royalties are handled on an ad-hoc case by case basis, as they arise (please describe policy guidelines, if available). 7

   Not appropriate (never deal with this situation). 6

III. Salary payments for faculty, professional and support staff, working on foundation supported projects. Policies for determining salaries paid:

1. Foundation salary and wage support for projects at colleges and universities is expended in accordance with the grantee institution policies, without restrictions by the foundation. 19

2. Foundation policy for use of project salary and wage funds generally follows the policies of grantee institutions, with the following exceptions: (Circle all appropriate items): 3

   a) Summer salary for faculty on Academic Contract (Please specify policy): 3

   b) Consultant Fees. (Please specify policy for both Internal and External Consultants): 2

   c) Sabbatical Leave Salary Support. (Please specify): 2

   d) Overload Salaries and Wages Paid to Grantee Institution Personnel. (Please specify, by type of personnel): 0

3. Not appropriate (never deal with this situation). 7

4. Other foundation policy practices, not covered in the above, which relate to payment of salaries and wages to college and university personnel supported in part or entirely by foundation funds. (Please describe briefly and/or attach additional material). no responses given

HIGHER EDUCATION ASSOCIATIONS

Survey Population: 68 Response: 43

We are collecting information on policies, practices and ethical issues relating to the participation of college and university faculty (and professional staff) in part-time consulting and extra teaching. We are also requesting policy information on assignment or property rights and distribution of royalties on college-university related inventions and copyrighted educational material. This survey has two major components: 1) The participation of your association in studies, preparation of testimony, or other ways, in establishing ethical codes and policies, relevant to these areas and 2) the particular policies and practices which your association has developed for utilizing the part-time services of college and university faculty and professional staff for projects and activities of your association

I. Participation of your association in development of policy positions.

1. Has your association formulated policies, related to any of the topics below, which serve as standards for your members? (e.g., through your association's ethics committee or other special committee).

2. Has your association been involved with any external agency (Government Agency, U.S. Congress, National Commission, etc.) related to policy formulation for any of the topics below?

Topic	Association Policy	External Policy
Part-Time Consulting	5	0
Ethical Issues Conflict-of-Interest	5	1
Property Rights and Royalties (Copyrights, Patents, Computer Programs)	1	1
Summer Teaching	1	0
Summer Research	0	0
Overload Teaching (For institution or another institution)	1	2
Other (Specify)	0	0

II. If your association utilizes the part-time services of college or university faculty or professional staff for association work, please indicate, for each type of work, the nature of the financial support and the source of support. Please use the following codes:

Financial Support Codes

1. None
2. Expenses (out-of-pocket) only
3. Expenses plus stipend/honoraria

Source Support Codes

1. Internal association budget funds
2. Government Grant/Contracts
3. Private Source (Foundation, Industry, etc.)
4. Income earned from fee for the activity

	RESPONSES									Total Number Respond
	Financial Support				Source of Support					
	1	2	3	Combi-nations	1	2	3	4	Combi-nations	
Officer of Your Association	9	21	2	0	22	0	0	1	0	32
Editor	4	4	7	1	9	0	1	0	1	16
Consultant	6	2	17	4	4	3	1	6	9	29
Project Director	2	8	8	0	3	4	2	2	6	18
Committee Member	7	19	2	3	10	2	0	4	7	31
Instruction (e.g. Continuing Education)	5	2	2	2	2	0	1	3	3	11
Workshop or Conference Speaker	3	6	10	9	8	1	0	6	10	28

III. If you utilize the part-time services of college or university faculty and/or professional staff in the production of educational material or work that results in patentable inventions please describe your policies in respect to assignment of property rights and distribution or royalties. If you do not have policies, please specify guidelines used when the situation arises.

1. Assignment of property rights for copyright material or patents?

Yes from 14 of 43 responses

#Responding	Policy/Guideline
7	All to Association
0	All to Inventor/Author
1	Divided Between Association and Inventor/Author
4	Decided on an Ad-Hoc Basis
2	Other

2. Distribution of earned royalities?

Yes from 13 of 43 responses

#Responding	Policy Guideline
4	All to Association
0	All to Inventor/Author
1	Divided Between Association and Inventor/Author
6	Decided on Ad-Hoc basis
2	Other

PROFESSIONAL ASSOCIATIONS

Survey Population: 73 Response: 41

We are collecting information on policies, practices and ethical issues relating to the participation of college and university faculty (and professional staff) in part-time consulting and extra teaching. We are also requesting policy information on assignment or property rights and distribution of royalties on college-university related inventions and copyrighted educational material. This survey has two major components: 1) The participation of your association in studies, preparation of testimony, or other ways, in establishing ethical codes and policies, relevant to these areas and 2) the particular policies and practices which your association has developed for utilizing the part-time services of college and university faculty and professional staff for projects and activities of your association

I. Participation of your association in development of policy positions.

1. Has your association formulated policies, related to any of the topics below, which serve as standards for your members? (e.g., through your association's ethics committee or other special committee).

2. Has your association been involved with any external agency (Government Agency, U.S. Congress, National Commission, etc.) related to policy formulation for any of the topics below?

Topic	Association Policy	External Policy
Part-Time Consulting	4	1
Ethical Issues Conflict-of-Interest	4	2
Property Rights and Royalties (Copyrights Patents, Computer Programs)	7	7
Summer Teaching	0	1
Summer Research	0	2
Overload Teaching (For institution or another institution)	2	0
Other (Specify)	2	0

II. If your association utilizes the part-time services of college or university faculty or professional staff for association work, please indicate, for each type of work, the nature of the financial support and the source of support. Please use the following codes:

Financial Support Codes

1. None
2. Expenses (out-of-pocket) only
3. Expenses plus stipend/honoraria

Source Support Codes

1. Internal association budget funds
2. Government Grant/Contracts
3. Private Source (Foundation, Industry, etc.)
4. Income earned from fee for the activity

	Financial Support				Source of Support					Total Number Respondi
	1	2	3	Combi-nations	1	2	3	4		
Officer of Your Association	3	22	2	3	25	0	0	0	0	30
Editor	2	12	11	0	17	0	0	2	4	25
Consultant	6	3	14	4	8	3	0	0	12	27
Project Director	4	8	7	1	1	8	0	1	5	20
Committee Member	6	20	2	3	20	0	0	0	4	31
Instruction (e.g. Continuing Education)	6	4	5	1	4	2	0	2	3	16
Workshop or Conference Speaker	11	4	13	4	10	1	0	4	10	32

III. If you utilize the part-time services of college or university faculty and/or professional staff in the production of educational material or work that results in patentable inventions please describe your policies in respect to assignment of property rights and distribution or royalties. If you do not have policies, please specify guidelines used when the situation arises.

1. Assignment of property rights for copyright material or patents?

Yes from 20 of 41 responses

#Responding	Policy/Guideline
13	All to Association
2	All to Inventor/Author
0	Divided Between Association and Inventor/Author
4	Decided on an Ad-Hoc Basis
1	Other

2. Distribution of earned royalities?

Yes from 16 of 41 responses

#Responding	Policy Guideline
7	All to Association
1	All to Inventor/Author
0	Divided Between Association and Inventor/Author
5	Decided on Ad-Hoc basis
3	Other

"Ethical and Economic Issues: University Policies for Consulting, Overload Instructional Activities and Intellectual Property"
University of Southern California
Office of Institutional Studies
Los Angeles, California 90007
January 19-21, 1977

LIST OF AVAILABLE PAPERS

Earl G. L. Cilley, Director of Sponsored Projects at Stanford University	"Faculty Consulting: Issues in Academic Policy Development"
Donald F. Costello, Director of Academic Computing Services at the University of Nebraska Computing Network	"Computer Software in Education: Property Rights, Use, Royalties"
W. Todd Furniss, Director, Office of Academic Affairs for the American Council on Education	"Academic Compensation: Professoren, Pooh-Bahs, Parents, and Proles"
Hans J. Jenny, Vice President for Finance and Business and Professor of Economics at the College of Wooster	"Financial Health in Privately Controlled Institutions of Higher Education"
Norman Latker, Patent Counsel for the Dept. of Health, Education, and Welfare	"University Patent Policies"
Louis Levin, Consultant and Member of the National General Medical Sciences Advisory Council	"Salary Reimbursement - Benefits and Costs"
Robert H. Linnell, Director, USC Office of Institutional Studies, and	"Ethical and Economic Issues: An Interview Survey at Ten Universities"
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Joseph B. Platt, President, Claremont University Center	"Accountability and Trust"
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